

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE		PAGE 1 OF 2 PAGES	
2. AMENDMENT/MODIFICATION NO. 02		3. EFFECTIVE DATE 09/25/02		4. REQUISITION/PURCHASE REQ. NO. AMDAHQXX-0001-3		5. PROJECT NO. (If applicable)	
6. ISSUED BY CODE		7. ADMINISTERED BY (If other than Item 6) CODE					
USDA APHIS, MRP-BS, ASD Contracting Butler Square, 5th Floor 100 North Sixth St. Minneapolis, MN 55403							
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)				(X) 9A. AMENDMENT OF SOLICITATION NO.			
				X 001-M-APHIS-03			
				9B. DATED (SEE ITEM 11) 08/21/02			
				10A. MODIFICATION OF CONTRACT/ORDER NO.			
				10B. DATED (SEE ITEM 11)			
CODE		FACILITY CODE					

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☒ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☒ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☐ is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

- A. This amendment makes the following changes to the solicitation:
- Provides responses to a vendor question regarding subcontracting.
 - Adds a clause to Section H and provisions to Sections L and M regarding subcontracting.
 - Provides 3 replacement pages to the RFP: pages 22 and 41. Changed paragraphs are indicated by vertical lines in the right margin of these pages.

SEE FOLLOWING PAGE

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Donna Calacone, Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

C. A response is provided to the following vendor question:

Question: Can a 100% small business entity subcontract to a non-small business? If the answer is the affirmative, what is the maximum percentage permitted?

Response: If a subcontracting arrangement is proposed, the government, in the course of the proposal evaluation, will not consider the technical qualifications of a proposed subcontractor to substitute for the technical qualifications of a proposed prime contractor. The government will consider the technical quality, past performance and key personnel of both the proposed prime contractor and proposed subcontractor. The government will require both proposed prime contractor and proposed subcontractor to present information on technical quality, past performance and key personnel (RFP Section H, H.3), and to address all of the requirements of Section L.

The following clause, *Subcontracting Limitation*, is added to RFP Section H and reads as follows:

By submission of an offer and execution of a contract, the offeror/Contractor agrees that in performance of the contract at least 50 percent of the cost of contract performance incurred for personnel shall be expended for employees of the concern.

D. The date and time that proposals are due remains unchanged.

END OF AMENDMENT

Amendment 02

H.4 AGAR 452.237-75 RESTRICTIONS AGAINST DISCLOSURE (FEB 1988)

- (a) The Contractor agrees, in the performance of this contract, to keep all information contained in source documents or other media furnished by the Government in the strictest confidence. The Contractor also agrees not to publish or otherwise divulge such information in whole or in part in any manner or form, or to authorize or permit others to do so, taking such reasonable measures as are necessary to restrict access to such information while in the Contractor's possession, to those employees needing such information to perform the work provided herein, i.e., on a "need to know" basis. The Contractor agrees to immediately notify in writing, the Contracting Officer, named herein, in the event that the Contractor determines or has reason to suspect a breach of this requirement.
- (b) The Contractor agrees not to disclose any information concerning the work under this contract to any persons or individual unless prior written approval is obtained from the Contracting Officer. The Contractor agrees to insert the substance of this clause in any consultant agreement or subcontract hereunder.

H.5 SUBCONTRACTING LIMITATION

By submission of an offer and execution of a contract, the offeror/Contractor agrees that in performance of the contract at least 50 percent of the cost of contract performance incurred for personnel shall be expended for employees of the concern.

Amendment 02

(a) Furnish financial statements for the last two years, including an interim statement for the current year, unless previously provided to the office issuing the RFP, in which case a statement as to when and where this information was provided may be furnished instead.

(b) Specify the financial capacity, working capital and other resources available to perform the contract without assistance from any outside source.

(c) Provide the name, location, and intercompany pricing policy for other divisions, subsidiaries, parent company, or affiliated companies that will perform work or furnish materials under this contract.

L.5 AGAR 452.204-70 INQUIRIES (FEB 1988)

Inquiries and all correspondence concerning this solicitation should be submitted in writing to the Contracting Officer. Offerors should contact only the Contracting Officer issuing the solicitation about any aspect of this requirement prior to contract award.

L.6 AGAR 452.215-72 AMENDMENTS TO PROPOSALS (FEB 1988)

Any changes to a proposal made by the offeror after its initial submittal shall be accomplished by replacement pages. Changes from the original page shall be indicated on the outside margin by vertical lines adjacent to the change. The offeror shall include the date of the amendment on the lower right corner of the changed pages.

L.7 AGAR 452.219-70 SIZE STANDARD AND NAICS CODE INFORMATION (SEP 2001)

The North American Industrial Classification System (NAIC) Code(s) and business size standard(s) describing the products and/or services to be acquired under this solicitation are listed below:

-- NAICS Code	541211
-- Size Standard	no more than SEVEN MILLION DOLLARS average annual receipts for an offeror's preceding 3 fiscal years.

L.8 EVALUATION OF PROPOSED SUBCONTRACTORS

If a subcontracting arrangement is proposed, the government, in the course of the proposal evaluation, will not consider the technical qualifications of a proposed subcontractor to substitute for the technical qualifications of a proposed prime contractor. The government will consider the technical quality, past performance and key personnel of both the proposed prime contractor and proposed subcontractor. The government will require both proposed prime contractor and proposed subcontractor to present information on technical quality, past performance and key personnel (RFP Section H, H.3), and to address all of the requirements of Section L. In addition, the subcontracting limitation addressed in RFP Section H.5 will apply.

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SECTION M - EVALUATION FACTORS FOR AWARD

**M.1 52.252-1 SOLICITATION PROVISIONS INCORPORATED
BY REFERENCE (FEB 1998)**

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

www.arnet.gov/far

www.usda.gov/procurement/policy/agar.html

**I. FEDERAL ACQUISITION REGULATION (48 CFR CHAPTER 1)
PROVISIONS**

NUMBER	TITLE	DATE
52.217-5	EVALUATION OF OPTIONS	JUL 1990

M.2 EVALUATION OF OPTIONS.

For each contract line item, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the option(s).

M.3 EVALUATION CRITERIA

For each contract line item, the government will make the award to the offeror(s) whose proposal conforms to solicitation requirements and represents the "best value" to the Government, based on technical quality, past performance and price. The following factors shall be used to evaluate proposals in descending order of importance:

1. Technical quality
2. Past performance of the offeror(s)
3. Price

Technical quality and past performance are significantly more important than price.

M.4 TECHNICAL PROPOSAL

In the technical proposal, offerors shall address all items listed in Section L, paragraph L.4 of the solicitation.

M.5 EVALUATION OF PROPOSED SUBCONTRACTORS

Proposed subcontractors will be evaluated as stated in RFP Section L.8.